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H.R. 19877

DATE

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S 20777-82

ACTION:

Conference report agreed to.

out creating an additional financial commitment on the Federal Government of the type now utilized for interstate construction.

Under this provision, the Secretary of Transportation may, at the request of any State, designate any primary highway which is a logical addition or connection to the Interstate System as a future part of that system. This could be done, however, only if the affected State or States promised to bring this highway up to interstate standards within 12 years.

In order to prevent confusion or avoid misleading road users, there would be no reference to the highway as a part of the Interstate System, including signs, until it is actually constructed to interstate standards.

This section responds to the requests of many communities throughout the United States for assistance in obtaining interstate connections with other parts of the country.

The provision which evolved from the conference, while not as strong as the original Senate bill language, will enable the citizens of communities not now served by the interstate system to effectively petition their State governments so that the economic benefits which follow from location on or near the interstate system will be part of their future. The language of the bill is based on the record developed at hearings by the Committee on Public Works in Carson City and Ely, Nev., in Roswell, N. Mex., and in Washington, D.C. There are at least five major interstate connections which could be designated under this provision. These connections are essential to the people of the areas involved. There is the U.S. 219 route from Buffalo, N.Y., to Bluefield, W. Va., covering New York, Pennsylvania, Maryland, and West Virginia; the route from Augusta, Ga., to Tallahassee, Fla.; and the route from Birmingham, Ala., to Memphis, Tenn., through northern Mississippi; the route I-70 from the Nevada-Utah border to San Francisco and U.S. 70 from Amarillo, Tex., to Las Cruces, N. Mex., which would serve one of the great areas of potential growth and development in eastern and south central New Mexico.

The adoption of this provision and the completion of the interstate system in the latter part of this decade will enable the people of these areas to achieve parity with those who are and will be served by the present 42,500 mile interstate system.

Another provision with potentially widespread impact is that authorizing the designation of economic growth center highways. This section allows the Secretary of Transportation to provide additional financial assistance for the construction of primary highways leading to cities he declares to be economic growth centers.

An authorization of \$50 million for each of the fiscal years 1972 and 1973 would be available to supplement the Federal share of eligible projects with an additional 20 percent of the cost, except

that the Federal share would in no case be more than 95 percent.

This provision is patterned after and based on the same philosophy behind development highways constructed under the Appalachian Regional Development Act and authority for regional transportation planning in title V of the Public Works and Economic Development Act, as amended in 1969.

It was my pleasure to chair the hearings which developed the 1969 amendments to the Public Works and Economic Development Act. It was during those hearings that I became convinced that there was a need for a developmental highway program to demonstrate the positive force in economic development which highways are. The experimental program contained in this bill will undoubtedly be helpful in bringing a better standard of living to rural America. This program should provide a better understanding of the direct relationship between proper economic growth and rural development and highway location.

Highways are generally recognized as a central factor in the economic development of a region, and a modern highway system is felt to be essential to any region which is attempting to strengthen its economic base. This provision of the bill would be an important aid to many communities and would essentially expand what we believe to be a valid and proven program now operating in a limited number of States.

Mr. President, these are but two of the important provisions of the Federal-Aid Highway Act of 1970, but they are of great concern and importance to many people and communities.

I hope the Senate will keep them in mind as we act affirmatively on this conference report.

Mr. RANDOLPH. Mr. President, I move adoption of the conference report. The motion was agreed to.

RIVERS AND HARBOR AND FLOOD CONTROL ACTS OF 1970—CONFERENCE REPORT

Mr. RANDOLPH. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 19877) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. CRANSTON). Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

(For conference report, see House proceedings of December 17, 1970, pages H11967-H11973, CONGRESSIONAL RECORD.)

Mr. RANDOLPH. Mr. President, conferees of the Senate and House met December 16, to consider differences in H.R. 19877, the rivers and harbors omnibus bill of 1970. The session was one of cor-

diality. The two committees have always been able to compose differences in a spirit of cooperation and accommodation. I feel that we have brought back a sound and useful measure which retains most of the items and provisions included in the version passed by the Senate.

Basically, this measure is composed of projects which have the approvals of the Chief of Engineers, the Secretary of the Army, the Governors of the affected States, the concerned Federal agencies, and the Office of Management and Budget. In a few instances the Office of Management and Budget has not completed its review of the project proposals. Therefore, the conferees have included language at appropriate places in the bill providing that construction shall not be initiated until such review has been completed and the project has been approved by the President. I stress this point because both committees realized the importance of thorough review of all the measures contained in the bill, especially by the Office of Management and Budget. However, in the consideration of this type of legislation there are always a few projects in transit awaiting Budget review when the committees conclude action thereon. As a consequence, action on a relatively few projects would be delayed 2 years until consideration of the next omnibus authorization bill. Inasmuch as these projects provide much needed flood relief and expedients to correct serious deficiencies in the Nation's harbors and navigation channels, the conference committee has included these worthy projects in the bill, with safeguards, of course, that full review will be made by the Office of Management and Budget.

The version that passed the Senate contained authorization for a number of navigation and flood control projects costing less than \$10 million. Those projects were not in the bill as it came to the Senate, and the House Public Works Committee subsequently approved them under the provisions of section 201 of the Flood Control Act of 1965. In view of this action, the Senate conferees receded and agreed to their deletion in the conference. On December 17, 1970, the Senate Public Works Committee, in executive session, on the motion of the able Senator from Delaware (Mr. BODGES), adopted resolutions approving these projects under the provisions of section 205.

The Members of this body should know, therefore, that the projects costing less than \$10 million which were contained in the bill as it passed the Senate are now authorized and eligible for construction by the Chief of Engineers, subject to the availability of funds.

Mr. President, I ask unanimous consent that the designations of the projects, together with other pertinent details, be printed at this point in the RECORD.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

H.R. 19877—River and harbor bill, total of bill as agreed to in conference

	Estimated Federal cost
Navigation:	
Pleasant Bay, Mass.	\$10,231,000
Baltimore Harbor, Md.	40,000,000
Atlantic Intercoastal Waterway, Va. and N.C.	11,220,000
Manteo (Shallowbay) Bay, N.C.	10,769,000
Pamlico River, N.C.	2,842,000
Fort Sutton Harbor	Maintenance
Tampa Harbor, Fla.	40,000,000
Freeport Harbor, Tex.	13,710,000
Cocos Bay, Oreg.	9,100,000
Nawiliwili Harbor, Hawaii	1,952,000
New York Harbor Drift	16,227,000
Quachita and Black Rivers, Ark. and La.	13,500,000
Subtotal	169,341,000
Beach erosion: Lido Key, Fla.	240,000
Total title I	169,581,000

Flood control:	
Arcadia Reservation, Okla.	24,900,000
Arkansas-Red Chloride	
Avoyelles Parish, La.	15,333,000
Blue River, Kans. and Mo.	40,000,000
Oahe Dam and Reservoir, N. Dak.	732,000
Wild Rice River, Minn.	8,359,000
Shenandoah River, N. Dak.	20,000,000
Souris River, N. Dak.	29,240,000
Golsta, Calif.	13,830,000
Sabine River, Tex.	40,000,000
Davenport, Iowa	12,263,000
Mill Creek, Ohio	32,642,000
Red Run Drain, Mich.	40,000,000
Ellicott Creek, N.Y.	19,070,000
Portugues Dam, P.R.	11,110,000
Cerrillos Dam, P.R.	16,351,000
Ponce, P.R.	14,295,000
Cottonwood Creek, Calif.	40,000,000
Marced County streams, California	37,260,000
Kaneohe-Kaliua Area, Hawaii	7,249,000
Total (20)	422,634,000

Grand total (33).....592,215,000

Projects in Senate version of the river and harbor bill approved for construction by adoption of committee resolutions on December 17, 1970, under the provisions of section 201 of the Flood Control Act of 1965

	Estimated Federal Cost
Navigation:	
Black River Harbor, Alcona County, Mich. (H. Doc. 91-351)	\$484,000
Calcasieu River, Devils Elbow, La. (Doc. 91-)	3,700,000
Central and southern, Florida, small boat navigation (H. Doc. 91-394)	5,554,000
Corpus Christi Beach, Tex. (H. Doc. 91-415)	525,000
Delaware Bay-Chesapeake Bay waterway, Delaware, Maryland and Virginia	6,887,000
East River, New York (S. Doc. 91-80)	2,230,000
Edgartown Harbor, Mass. (S. Doc. 91-108)	1,755,000
Frenchboro Harbor, Maine (S. Doc. 91-32)	560,000
Genoa-on-the-Lake, Ohio (H. Doc. 91-402)	605,000
Humboldt Harbor, Alaska (H. Doc. 91-393)	2,300,000
Lee County, Fla. (H. Doc. 91-395)	608,000
Ludington Harbor, Mich. (H. Doc. 91-342)	1,660,000

	Estimated Federal Cost
Mobile Harbor, Alabama (H. Doc. 91-335) ¹	\$7,254,000
New Jersey coastal inlets and beaches (H. Doc. 91-180):	
Great Egg Harbor Inlet and Peck Beach	4,350,000
Corson Inlet and Ludlam Beach	3,910,000
Townsend Inlet and Seven Mile Beach	3,490,000
Ottawa River Harbor, Mich. and Ohio, (H. Doc. 91-396)	848,000
Revere and Nantasket Beaches, Mass. (H. Doc. 91-211)	2,200,000
South Shore of Lake Ontario (H. Doc. 91-319) Dr. Niagara State Park, N.Y.	1,309,000
Waukegan Harbor, Illinois	1,197,000
Total	51,418,000

Flood control:

Fort Chartres and other drainage districts, Illinois (H. Doc. 91-412)	2,310,000
Marion, Kans. (S. Doc. 91-256)	2,146,000
Placer Creek, Wallace, Idaho (H. Doc. 91-357)	1,510,000
Posten Bayou, Arkansas (H. Doc. 91-318)	1,379,000
Reedy River, Greenville, S.O. (H. Doc. 91-356)	1,609,000
Running Water Draw, Plainview, Tex. (H. Doc. 91-192)	3,200,000
San Luis Ray River, California (H. Doc. 91-106)	7,900,000
Scajagada Creek and tributaries, N.Y.	1,020,000
Steele Bayou Basin, Mississippi (S. Doc. 91-74)	3,970,000
Streams in vicinity of Fairfield, Calif. (H. Doc. 91-159)	2,740,000
Wenatchee, Wash., (H. Doc. 91-370)	8,400,000
Western Tennessee tributaries, Tennessee (H. Doc. 91-414)	1,924,000
Zintel Canyon, vicinity of Kennewick, Wash. (H. Doc. 91-418)	1,860,000
Total	39,968,000
Grand total	91,384,000

¹ Approved by the Committee on Public Works, U.S. Senate, on July 16, 1970.

Mr. RANDOLPH. Mr. President, an item of importance in the report agreed to in conference deals with the matter of construction of spoil disposal facilities in the Great Lakes in order to eliminate pollution associated with open-water disposal in contaminated dredged spoil. The provision is similar to one proposed by the administration earlier this year. The main difference is in the area of cost sharing.

Your conferees are aware of opposition expressed by some Members of the Senate to this provision and thorough consideration was given to their views. However, the situation with respect to the Great Lakes is critical and the hour is late. Action is required now if we are to save these valuable resources and permit the uninterrupted flow of commerce on these waterways.

Mr. BAKER. Mr. President, will the Senator from West Virginia yield?

Mr. MANSFIELD. Mr. President, the Senator is over his time now. I would ask unanimous consent that he may proceed for an additional 5 minutes.

The PRESIDING OFFICER (Mr. CRANSTON). Without objection, it is so ordered.

Mr. BAKER. Mr. President, while I am not a conferee, I am a member on the Air and Water Pollution Subcommittee and I would like to put this question to the distinguished chairman of the committee:

Section 23 of the conference agreement was not in the Senate bill. It provides for construction of dredge spoil disposal areas in order to provide alternatives to the dumping of spoil in the Great Lakes.

Earlier this year the Congress approved legislation which prohibited such dumping by the corps in violation of water quality standards and required licensed dumpers to obtain a certificate of water quality compliance from the affected State.

Does this provision in any way alter that statute? Is dumping of spoil in violation of standards by either a public or private agency still prohibited? In other words does this section violate or implement section 21 of the Water Quality Improvement Act?

Mr. RANDOLPH. Mr. President, I say to my able colleague that the conference report language clearly states that spoil disposal activities must comply with section 21 of the Federal Water Pollution Control Act. This is set forth on pages 8 and 25 of the conference report.

Mr. BAKER. I thank my chairman, the manager of the bill, for the information. I think it is a good bill. I fully intend to support the conference report.

Mr. RANDOLPH. Mr. President, I thank the Senator. Some of the Senate conferees felt that the House provision was more acceptable with respect to cost sharing than the administration proposal and, accordingly, receded from its disagreement to this item.

Mr. President, for the purpose of clarification, I draw attention to the section in the bill which amends existing beach erosion control authority to permit, within the discretion of the Chief of Engineers, application of a cost apportionment procedure that is similar to the one applied to hurricane flood protection projects. The language included in the conference report permits a desirable flexibility in the statutory cost apportionment required for beach erosion benefits. In addition it permits a discretionary determination of the proper Federal share of the project cost up to 70 percent of the total cost, exclusive of land costs, in all hurricane and tidal flood protection projects having beach erosion control aspects. However, existing hurricane flood control policy, as derived from the 1958 Flood Control Act, provides for cost sharing on the basis of 70 percent Federal and 30 percent non-Federal, the local share including the cost of land, easements, and rights-of-way. Clearly, the language contained in the bill relating to cost sharing on combination beach erosion control-hurricane flood control projects has no application to the general hurricane flood control project program developed as a result of the pro-

visions contained in the Flood Control Act of 1958.

Mr. President, the conference report on H.R. 19877 is a good measure. It has been well thought out and the projects were carefully analyzed. I urge the Senate to adopt the conference report.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. COOPER. Mr. President, under the leadership of the Senator from West Virginia (Mr. RANDOLPH), the conference committee on the omnibus Rivers and Harbors and Flood Control Acts of 1970 produced a bill which includes several new provisions and a number of projects that are very important.

I did not sign the conference report, because I wanted to point out in the Record that, despite the efforts of the Senator from West Virginia, we were faced, certainly this time, with a list of projects which have not been approved in the proper way.

We found ourselves in the conference faced with many projects, including some very large ones, which have not been approved by the Bureau of the Budget, and which in some cases have not even been approved by the Secretary of the Army. As I said, I did not sign the report because I wanted to bring this fact out.

I will submit for the Record a statement calling attention to this problem and some of the difficulties I find in the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. COOPER. I believe that if not corrected and guarded against, this situation could expand. Any Member could get a project authorized, even though the proper procedure has not been followed. The Senator from West Virginia and I have discussed this matter, and recognize the importance of following proper and improved procedures.

EXHIBIT 1

STATEMENT OF SENATOR JOHN SHERMAN COOPER

I wish to express my reservations with respect to the Conference Report on the Omnibus Rivers and Harbors, and Flood Control Act of 1970. I was a Conferee on behalf of the Senate Committee on Public Works. I did not sign the Conference Report.

I believe, this legislation authorizes too many projects costing too much money on the basis of too little information. This is a time when many Americans have raised questions of national priorities; I believe more careful study should have been given to authorization of several of the proposals in this bill.

The dollar figures in the bill may be misconstrued. Several large projects contain authorizations limited to \$40,000,000. When the full cost of the projects approved in Sections 101 and 201 is calculated, this bill carries a cost to the Federal Government of nearly \$1.4 billion. It should be noted that the Senate bill came to the floor earlier this month with a Federal cost less than half that large.

The arbitrary \$40,000,000 limit originated in the House bill. The House used this approach, it may be said, to give Congress greater control to review the projects in the future. But it is unrealistic to think the Congress would seriously reconsider authori-

zation of a half-built dam or half-dredged harbor.

If we wish to use a partial-authorization procedure for review—and not simply to hold down the apparent cost of the Omnibus bill—I would suggest that we seek a procedure for review after pre-construction planning. The Congress then could authorize the sum needed for the next stage, such as initiation of construction. A review process could be used. Also to assess the merits and costs involved in each component of a multi-component project. If such a review found the balance of a project uneconomic or unnecessary, a single dam or channel would at least exist to serve a useful public purpose.

Some projects, of course, could never be built in component parts. In such cases, I believe it meaningless to authorize less than the full sum needed to complete the project.

It was my thought, shared by several Conferees, that a more effective method for limiting the bill's total Federal cost would have been elimination of any project not yet sent forward to the Congress by the Office of Management and Budget.

Over a third of the projects in this legislation lack review and approval by the Office of Management and Budget. Some have not yet reached the stage of clearance by the Secretary of the Army. Yet the twelve projects lacking clearance by either or both the Army and OMB involve a cost to the taxpayers presently estimated at \$625,546,000.

This OMB review process, I should add, is not a technicality. The letter from the OMB is a most helpful document for identifying the merits, benefits, and any potential difficulty involved in a project. It often identifies problems with specific benefit or cost calculations made by the Chief of Engineers. Such calculations can be vital in consideration of a project with a benefit-cost ratio of 1.2 or 1.3 to 1.

More important, however, the issuance of the letter by the Office of Management and Budget is coincident with the release of letters of comment and review from other agencies, and accompanies submission to the Congress of the Report of the Chief of Engineers and the Secretary of the Army.

These letters and reports are the only basis on which an effective hearing can be held, in order to give all interested parties an opportunity to express their views on a project.

None of the twelve projects lacking OMB clearance has been the subject of public hearings by the Senate. No record of any House hearing that may have been held has been published.

To give some perspective on this problem of authorization without study, I would like to discuss a project for construction of two dams in the Cottonwood Creek basin in northern California. This project, with a Federal cost of \$174,000,000 is pending approval by the Secretary of the Army.

I should hasten to say that my argument should not be considered as against the merits of this project. Construction of these dams may be most necessary and meritorious. They will prevent flooding, and supply water for irrigation, and for the needs of the Los Angeles area 500 miles distant.

The problem is that the necessary information for the Congress to properly evaluate the project is not at hand. The only information officially presented to the Senate Committee on Public Works consists of a brief environmental statement prepared by the Corps of Engineers. In this case, however, I requested and was furnished a copy of an interim survey prepared by the District Engineer.

These studies show that the Cottonwood Creek project will flood 25,000 acres to provide protection and enhancement for 20,000 acres, mostly agricultural and pasture land. The project will enable 12,000 acres of that land to be brought under irrigation.

While the District Engineer's study concentrates attention on the disputed recreational benefits of the project, and the need for flood control at Cottonwood, California, a town of 1,650 population, the project carries heavy benefits for industrial and municipal water supply. Those \$8,400,000 in annual water supply benefits, I should point out, represent two-thirds of the project's total annual benefits.

While the study implies that the water is needed locally, paragraph 75 on page 40 of the District Engineer's Interim Survey states that the water will go to Los Angeles.

Specifically, the annual benefit of \$8,400,000 for water supply over the project's life is based on selling 235,000 acre-feet of water yearly to Los Angeles—beginning in 1989—at a price that returns \$50 an acre-foot for the project.

What may be significant is that a full return will not take effect on these water supply benefits until at least 1989. With significant benefits so far in the future, I see no reason for authorization now, before the Congress has an opportunity to receive, under the regular procedures, the completed factual report of the Chief of Engineers, together with the comments of the Secretary of the Army and the OMB.

Other questions with respect to this project appear to be unresolved. The water to be extracted for sale to Los Angeles nearly two decades hence represents half the annual runoff of the Cottonwood Creek basin. Thus, a reduction will occur in the volume of water flowing from Cottonwood Creek to the San Joaquin-Sacramento River Delta and into San Francisco Bay.

In a letter commenting on the Cottonwood Creek project, the Department of Interior states: "Maintaining water quality at levels specified in Federal-State water quality standards will be dependent in part on the maintenance of an adequate outflow from the Delta. Since this project will reduce that flow, it may contribute to a violation of the standard."

Information such as this statement, has not been available for a sufficient period to foster a proper evaluation by the public. Conservation groups have gone on record to say they do not object to this project if the stored water is used to increase Delta outflows. This project sharply reduces Delta outflows.

It may also be significant that the project will be built in an area that is characterized as possessing significant beauty. The Corps of Engineers environmental statement gives this description of the area: "The basin has a wide range of topographic, vegetative, and wildlife resources. . . . The unspoiled natural resources of the area have high aesthetic value and together with the pleasant climate, contribute to making the entire upper Sacramento Valley an important natural resource. . . . The area also has a 'large and varied wildlife population.' . . . 'Important prehistoric and historic (archeological) sites are known within Cottonwood Creek basin.' At least 23 significant archeological sites will be flooded.

The Fish and Wildlife Service says the project will adversely affect both fresh water and anadromous fisheries. The California Fish and Game Department says that the lands protected from flooding and development are some of the State's most valuable bird nesting areas. Yet the project carries \$490,000 in annual benefits for "fish and wildlife enhancement."

The project lists \$315,000 in annual recreational benefits. According to the Bureau of Outdoor Recreation: "This project would compete with use of other nearby recreational areas, and because the Redding-Red Bluff area has a large concentration of water-oriented recreation opportunity, additional reservoir-associated recreation use in the

Cottonwood Creek area does not have a high priority in the California statewide comprehensive outdoor recreation plan."

As I stated earlier, I am seeking in no way to pass my own judgment on the merits of the Cottonwood Creek project. I take it as an example of the several projects in this bill on which limited information has been officially provided to the Congress.

Nearly half of the total Federal cost of the projects authorized by this bill represents projects on which we are similarly lacking in information. I ask unanimous consent that a list of the six projects not approved by the Secretary of the Army, and the additional six projects pending consideration in the Office of Management and Budget, be listed in the Record at the conclusion of my remarks.

The provisions in Section 123 on Great Lakes dredging and disposal of dredged spoil are necessary and represent a major advance toward water quality.

Section 122 requires the Secretary of the Army to promulgate guidelines in 1972 to assure full consideration of possible adverse economic, social, and environmental effects in future projects. This is a most significant addition to directives given the Corps of Engineers.

Section 211 establishes another position of Assistant Secretary of the Army. He would oversee the operations of the Corps of Engineers. This may be a good and needed provision, but I see no need for its hasty adoption without hearings.

The Senate Committee on Public Works intends to hold hearings and discussions on its procedures for evaluating Corps of Engineers' projects some time early in 1971. I know all the Committee members share my hope that these hearings will enable us to establish a more effective procedure for handling Corps of Engineers' projects, so that we can avoid this last minute rush. Our Committee can go far on its own to improve handling of rivers and harbors and flood control projects.

Our distinguished Chairman (Mr. Randolph) has been a leader to the Committee in attempting to resolve these questions. I do not make my argument to derogate the work of either the House or Senate Committee in Public Works; but I do believe we should help establish proper standards, and stick with them.

I ask that a letter from the Office of Management and Budget on the subject of Corps of Engineers' projects be printed at this point in the Record.

(The letter follows:)

OFFICE OF MANAGEMENT AND BUDGET,
Washington, D.C., December 16, 1970.

HON. JENNINGS RANDOLPH,
Chairman, Committee on Public Works, U.S. Senate, New Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: We would like to state for the consideration of the conference committee the Administration's views on certain provisions in the House and Senate versions of H.R. 19877, the omnibus rivers and harbors and flood control authorization bill.

MULTIPLE OBJECTIVE PLANNING

Both bills include a statement regarding the intent of the Congress that the objectives of enhancing regional economic development, environmental quality, the well being of people, and the national economic development are objectives to be included in the evaluation of benefits and costs for water resource projects. The only difference in the House and the Senate versions is whether the provision is applicable to all Federal agencies or only to the Corps of Engineers.

We believe that endorsement of these water resource planning objectives by the Congress is premature at this time. The Executive Branch has not completed review of

the Water Resources Council task force's recommendations on multi-objectives approach to planning which set forth in some detail the manner in which the basic objectives cited would be evaluated. In view of the importance of the objectives and the long range implication of their use in future resource development, we strongly recommend that Congress delete this provision until the Executive Branch agencies have had an opportunity to complete their review and make appropriate recommendations.

UNREVIEWED PROJECTS

The bill provides for the authorization of a number of projects on which the Executive Branch has submitted views and recommendations. However, the bill would also authorize a number of projects not yet reviewed by the Executive Branch. The House version of the bill includes 10 projects that have not been formally submitted to the Congress by the Secretary of the Army, and does not give effect to the reservations expressed by the Executive Branch on a number of projects and other proposals that were reviewed. The Senate bill includes 8 unreviewed projects.

We strongly recommend that those projects pending review in the Executive Branch be deleted from the bill or if such projects are included that the provision contained in the Senate version making construction contingent upon approval by the Secretary of the Army and the President be adopted. We support the language in the Senate version which gives effect to agency reservations on certain projects, as noted above.

COST SHARING GENERALLY

Both bills include provisions that would decrease local cost-sharing requirements in water resource developments. The Administration believes that non-Federal interests should be given more control over programs that benefit localities. At the same time, local interests should assume more responsibility for the costs of those projects. Appropriate cost sharing provides the strongest test of the value of these kinds of projects—the willingness of the immediate beneficiaries to pay.

Recreational Boat Harbors—The bill provides that the operation and maintenance of recreational boat harbors is a Federal responsibility. This runs counter to one of the President's 1971 program reforms, which calls for local sponsors of these projects to assume the costs of maintenance and operation. This program reform would make Federal participation in recreational boating consistent with other Federal water resource recreational development. More local participation is also necessary since this program benefits a small privileged group of the population in specific geographic areas. We continue to urge that the President's program reform be adopted.

Diked Spoil Disposal Areas—The House version would authorize construction of diked spoil areas for the disposal of polluted material dredged from harbors and navigation channels. Local interests would be required to furnish the necessary lands, easements, and rights-of-way necessary for the construction, operation, and maintenance of the facility, and contribute 25 percent of the construction costs for the dikes. The 25 percent participation in the construction costs by local interests could be waived by the Secretary of the Army, upon a finding by the Administrator of the Environmental Protection Agency that the State or States involved, or an appropriate political subdivision of the State, or an industrial concern, is participating in an approved plan for the general geographic area of the dredging activity for construction, modification, expansion, or rehabilitation of waste treatment facilities, and is making progress satisfactory to the Administrator of EPA.

Last April, proposed legislation was submitted to the Congress by the Administra-

tion, pursuant to a Presidential message on Great Lakes pollution, which would have authorized a dike construction program for the Great Lakes. The Administration's bill provided for 50-50 cost sharing—an arrangement comparable to that for Federal grants for construction of municipal waste treatment facilities. The need for these dikes is primarily for pollution abatement and not for navigation.

We recommend that the Administration's proposal be substituted by the conferees for the provision in the House version.

Beach Erosion Control Policy—The House version includes a provision that would authorize the Corps of Engineers to pay up to 70 percent (exclusive of land costs) of costs of beach erosion control projects. Although the intent of this provision is not clear, it is assumed that it would amend existing beach erosion control authority to permit application of a cost apportionment procedure that is generally similar to that now applied to hurricane flood protection projects. The Corps is now authorized to pay up to 70 percent of the cost for hurricane protection while Federal participation in beach erosion control varies from zero to 70 percent of the cost depending upon non-Federal ownership and public access to the beaches. The House provision would be both inequitable and undesirable since it would single out one type of Federal water resource project for unique cost allocation and apportionment procedures. It would in effect eliminate the principle of pro-rata cost sharing for multipurpose hurricane flood protection and beach erosion projects. We recommend its deletion from the bill.

OTHER NEW AUTHORITIES

There are a number of other provisions that would authorize the Corps to undertake certain activities that have not been evaluated and reviewed within the Executive Branch. On the surface, some of these items do not appear to be the responsibility of the Federal taxpayers and are provided mainly to relieve certain geographic areas of financial responsibilities. We believe that authorization of these activities should be deferred pending review in accordance with standard procedures.

We believe that the adoption of these recommendations would contribute greatly to sound water resource development and would be glad to discuss them further if you wish.

Sincerely,

CASPAR W. WEINBERGER,
Deputy Director.

Unapproved projects

PROJECTS LACKING APPROVAL BY THE SECRETARY OF THE ARMY

Ellicott Creek, New York.....	\$19,070,000
Merced Streams, California.....	37,265,000
Cottonwood Creek, California.....	174,000,000
Nawiliwili Harbor, Hawaii.....	1,952,000
Mississippi River, Iowa.....	12,263,000
Ouachita, Arkansas and Louisiana.....	13,500,000
Total.....	258,045,000

PROJECTS LACKING OFFICE OF MANAGEMENT AND BUDGET CONSIDERATION

Baltimore, Harbor, Maryland....	99,500,000
Atlantic Intercoastal Waterway Bridges, Virginia and North Carolina.....	11,220,000
Freeport, Texas.....	13,710,000
Familoo River, North Carolina....	2,642,000
Kaneohe-Kaliua, Hawaii.....	7,249,000
Arkansas-Red River Basin, Texas, Oklahoma, and Kansas....	233,180,000
Total.....	887,501,000
Total.....	625,546,000

Mr. DOLE. Mr. President, I urge my colleagues to approve the conference report on the Rivers and Harbors and Flood Control Acts of 1970. The bill authorizes many water resource improvements that will bring widespread benefits to present and future generations, including two flood control projects in Kansas.

One of these projects, the channel improvements and system of four multipurpose reservoirs to be constructed in the Blue River Basin, requires specific comment. During the hearings on the Blue River project, questions were raised on the advisability of constructing the Tomahawk Creek Reservoir. However, the Congress has decided that the corps should proceed with necessary preconstruction planning, while at the same time insuring that all feasible alternatives to construction of the Tomahawk Creek Reservoir have been carefully considered.

Consideration of this conference report provides an opportunity to again emphasize my interest in reviewing the questions raised in the section of the Senate report on this bill, Senate Report No. 91-1422, entitled "Impact of Water Resource Development on the Environment." The enormous body of complex rules, regulations, and guidelines which govern the procedures by which a water project is authorized and public moneys are appropriated for its construction, make it difficult for the Congress to intelligently perform its constitutional responsibilities.

Furthermore, the public must participate at all stages of the planning and development of proposed water projects in a meaningful way. Too often, interested parties understand little about the complex procedures and as a result, are at a distinct disadvantage in making their voices heard. With the increased interest in the environment, the public can play a positive role if we establish procedures that will protect their rights.

In addition, I have serious doubts about the long-range advisability of including projects in authorizing legislation that have not received the approval of the Secretary of the Army and the President. This practice unfairly heightens public anticipation and relinquishes to the executive branch the ultimate decision as to whether the project should be approved. This problem is partially a result of the fact that Congress considers water projects on a biennial basis. The oversight hearings to be held by the Senate Public Works Committee next year will provide an opportunity to explore possible alternatives to the present congressional authorization process.

Mr. YARBOROUGH. Mr. President, the Omnibus Rivers and Harbors and Flood Control Act which the Senate and House have agreed to represents Congress continued commitment to progress for America. Included in this bill are a wide variety of flood control, navigation, beach erosion, and water development projects, which are located in 21 States. Of particular significance are several projects which will materially benefit the people and economy of our State.

First, the bill includes an authorization of \$13,710,000 for improving and en-

larging the harbor at Freeport, Tex. At present, the existing channels and basins are not adequate to accommodate the ever-increasing traffic of supertankers and large cargo vessels. The funds included in this bill are very necessary if the Freeport Harbor is to be capable of handling the rapidly growing commerce along the Texas gulf coast.

Second, the bill authorizes funds for the construction and operation of a comprehensive Red River chloride control project. The purpose of this project is to control and eliminate the salt pollution in the Red River which is seriously affecting the farms and communities in Texas and Oklahoma which must depend on this river as a source of water. I am glad that this important work will go forward.

Third, the bill also authorizes the beginning of the Sabine River Basin flood control project along the Sabine River in southeast Texas. At present there is no major flood control project in the Sabine River Basin. As a result, frequent flooding has caused a great deal of property damage in this area in the last few years. It is estimated that floods along the Sabine River cause an average of \$5.2 million in damages each year. This project will not only correct the flood problem but also provides a source of water for the growing towns and cities in this area.

The bill as originally reported by the Senate Public Works Committee did not include this project, however, the Senate in its wisdom agreed to my floor amendment and restored this important project to the bill. Therefore, up to \$40 million is now authorized to start work on this project.

Fourth, I am pleased that the conferees agreed to include in the final version of this bill authority for the Chief of Engineers to construct an elevated roadway to provide an alternate access to the Wolf Creek Park area in Ochiltree County, Tex. I am very glad that the Senate conferees agreed to my arguments for this project and included it in the bill.

In conclusion, Mr. President, I commend the distinguished chairman of the Senate Public Works Committee, Senator RANDOLPH, and all the members for their efforts on this bill. Congress can take pride in their work.

Mr. COOPER. Mr. President, when the Senate considered the Omnibus Rivers and Harbors and Flood Control Act of 1970 on December 9, the senior Senator from Oregon (Mr. HATFIELD) was absent from the Senate on official business. He had left with me a statement to include in the Record of the debate on that bill which reflected his great concern about the Coos Bay, Ore. navigation project.

I inadvertently mislaid the statement so that it was not included with the regular consideration of that legislation. Now with the adoption of the conference report as our pending business on the rivers and harbors and flood control legislation, I ask unanimous consent that the statement of Senator HATFIELD before the Committee on Public Works at the time of the public hearing on the Coos Bay project be included in the Record at this point. He was so interested in seeing that the Coos Bay project was authorized that

he presented testimony during committee hearings urging its approval. I am happy that it was included in the Senate and House versions of the bills.

I also want to place Senator HATFIELD's statement in the Record as it indicates his deep interest and advocacy of the Coos Bay, Ore., project. His strong support caused our Public Works Committee to support his request.

There being no objection, the statement was ordered to be printed in the Record as follows:

STATEMENT OF HON. MARK O. HATFIELD, A U.S. SENATOR FROM THE STATE OF OREGON

Mr. Chairman, included in H.R. 15166 is a harbor improvement project at Coos Bay, Oregon. I appear here today to offer my full support for this project.

The city of Coos Bay is located on the Southern Oregon coast. The population of Coos Bay is about 15,000 and serves Coos County with 58,000 people.

In the past, Coos Bay has been a lumbering area and a shipping center. I will not repeat here what you on this Committee have heard me saying on the Senate floor ever since I have been in the Senate regarding the connection between high interest rates, the decline in new housing starts, and the slowdown in Oregon's lumber economy. Coos Bay has suffered, as have other Oregon towns, by this decline. The area is suffering from economic doldrums.

Currently, the existing Federal project consists of a twin-jetty protected entrance channel, interior channels, anchorage areas, and turning basins. We all are aware of the growth in vessel size in recent years. In Coos Bay, existing channel depths are not adequate for modern cargo vessels under full load. In addition, wave conditions in the entrance channel coupled with insufficient depths in the channel often cause vessel delays.

Mr. Chairman, Coos Bay is the largest port facility between the Columbia River, over 200 miles to the North, and the San Francisco Bay, over 450 miles to the South. As a port, it stands ready to grow, hampered only by the problems set out above. An adequate labor force is available to meet increased growth in port activities.

As you are aware, the proposed improvement generally consists of modifying the existing project by deepening and widening the project channels to provide a 45-foot depth in the entrance channel, a 35-foot depth in the interior channel, construction of an anchorage area 1,000 by 2,000 feet to a depth of 35 feet near mile 6, deepening and widening existing turning basins and abandonment of existing authorized anchorages at mile 3.5 and mile 7.

The cost of this project is not great. Figured at a 1967 price level, it totaled \$9,200,000, with \$9,100,000 in Federal funding and \$100,000 of non-Federal funds. Inflation will have increased these costs, but this same inflation is what is hurting the economic life in the Coos Bay area.

In conclusion, Mr. President, I would like to say that I had the pleasure of speaking in Coos Bay recently at the dedication of a new downtown mall.

As I said, the lumber slowdown has hurt this area greatly and the people would have had cause to complain and grumble. Instead of this, however, I found complete faith in their community, as evidenced by the personal dedication needed to launch such an ambitious undertaking to create a downtown mall.

This harbor improvement project would demonstrate that their faith in the future of Coos Bay is well founded. Completion of this will give the local economy a needed shot in the arm. I hope this Committee will act favorably on this project.

Last week, when I learned this hearing was scheduled, I talked with people in the Coos Bay area. I asked for some expressions of support and details of the effect of this project from them. The most complete statement came from William S. Schroeder, President of the Coos Bay Port Commission. I would like to quote his telegram, and then refer to some of the points he raises:

COOS BAY, OREG., April 10, 1970.

SENATOR MARK O. HATFIELD,
U.S. Senate, Washington, D.C.

DEAR SENATOR HATFIELD: When the request for an improved channel was initiated in 1963, the 250 vessels using Coos Bay averaged about 450 feet in length and 10,000 deadweight tons. Last year, 1969, 450 vessels used the port and averaged over 500 feet in length. One hundred and fifty vessels varied between 13,000 and 38,000 deadweight tons. The remainder, with few exceptions, are from 10,000 to 13,000 tons. Today we have vessels 650 feet in length 98 feet in width making regular calls at our port. These deeper draft vessels suffer a financial loss of over \$125 per hour by the delays incurred in waiting for high tide and the hazards of navigation are increased considerably with all traffic attempting to depart the port simultaneously.

The 1963 tonnage of 1,288,834 has increased to, in 1969, 3,552,850 tons. This increase of 2,264,216 tons which is almost triple the 1963 figure, has contributed to a more favorable balance of trade. Coos Bay in 1969 exported to foreign countries 2,739,250 tons of lumber, logs, plywood, and wood chips. Your attention is invited to the Corps of Engineers projection for the year 2020, which assumed that 3,050,000 tons of cargo would be handled through the port of Coos Bay. Actually this figure was surpassed in 1968. Conceivably of such an increase in the export trade was not possible in the mid-1960's. Our increased tonnage has all been in the foreign market.

We request our present channel entrance be deepened from 40 feet at the entrance to 45 feet and the inner channel from 30 feet to 35 feet. The upper half of the channel to be widened from 300 feet to 400 feet. Since the docks are concentrated in the upper bay there is little need to widen the lower bay part of the channel.

The Corps of Engineers have found a favorable cost benefit ratio of 1.52 to 1 and this without knowledge of 1969 actual tonnage. We will continue our increase in this foreign trade if our channel can be improved to accommodate the ever larger vessels.

The port of Coos Bay is the largest lumber shipping port in the U.S. and if our channel is not improved we anticipate that within 5 years we will lose one-third of our shipping. This means that 10,000 persons will be directly affected. The wage loss will be \$1.5 million in stevedore wages a quarter million dollars each in tug boat and teamster wages. . . this does not include the financial impact upon persons engaged in services. The port of Coos Bay is an export port, 90 percent of the forest products in Coos County are shipped by water out of the port of Coos Bay in deep draft vessels.

Sincerely,
WILLIAM S. SCHROEDER,
President, Coos Bay Port Commission.

The points raised in this telegram point out the urgency of this matter. The growth in vessel size, the increase in traffic, and the growth potential all call for this project to be considered now.

In addition, telegrams of support were received from the Coos Bay Mayor and City Manager, Board of Commissioners, Chamber of Commerce, and Mayors and City Councils of North Bend, Eastside, and Myrtle Point.

I ask permission of the Chairman that these short telegrams be incorporated as part of my statement. Thank you.

COOS BAY, OREG.,
April 10, 1970.

SENATOR MARK HATFIELD,
Senate Office Building, Washington, D.C.

DEAR SENATOR HATFIELD: This is to express support from the mayor and city council of Coos Bay for the proposed Coos Bay harbor improvements, including the deepening and widening the ships channel turn basins and improvement of the bar itself. As you are well aware the Coos Bay area depends to a great degree on the lumber industry for its jobs. Since the port of Coos Bay is one of the largest shipping centers of wood products in the world you can appreciate how important this port is to the economy of the area. With the trend to larger and larger ships it is imperative that the bar and channel facilities be improved to enable these vessels to continue to use the port of Coos Bay.

Sincerely,

HAROLD A. LEEDOM,
City Manager.

COQUILL, OREG.,
April 10, 1970.

SENATOR MARK HATFIELD,
Senate Office Building, Washington, D.C.:

It is our understanding that the public works commission will be holding a hearing on the proposed improvement of the Coos Bay harbor in the very near future. The continued and proper development and maintenance of the Coos Bay Harbor is vitally important to the economy of the entire county and much of the Pacific coast and since Coos Bay Harbor handles more lumber for export than other ports in the world we feel it is vitally important that these improvements go forward with the best possible haste and receive your full support for which we thank you in advance.

Sincerely,

COOS COUNTY BOARD OF
COMMISSIONERS,

FRANK L. REMA,
Chairman.
WILLIAM L. MILLER,
LONNIE VANELSBERG.

April 10, 1970.

COOS BAY, OREG.,
Hon. MARK O. HATFIELD,
Senate Office Building, Washington, D.C.

The Coos Bay REA Chamber of Commerce hardly support your efforts in behalf of H.R. 15168, the Comprehensive Harbor Improvement Act, as being of vital importance to the primary lumber export city. Please advise how we can be of further help toward passage of this bill.

FRED M. BRENNER,
Manager Coos Bay Area Chamber of
Commerce.

April 10, 1970.

NORTH BEND, OREG.,
Senator MARK O. HATFIELD,
U.S. Senate Office Building, Washington, D.C.

The North Bend City Council wishes to go on record as supporting the Coos Bay deep channel project.

HARRY M. GRAHAM,
Mayor.

April 11, 1970.

COOS BAY, OREG.,
Senator MARK O. HATFIELD,
U.S. Senate, Washington, D.C.

We support the deep channel project for the port of Coos Bay.

MAYORS AND COUNCIL,
Eastside, Oreg.

April 10, 1970.

MYRTLE POINT, OREG.,
Hon. MARK HATFIELD,
U.S. Senate, Washington, D.C.

City of Myrtle Point fully supports deep channel project for port of Coos Bay. Improvement needed for shipment of forest products so vital to economy of this area.

ERWIN R. WILBERGER,
Mayor.

Mr. RANDOLPH. Mr. President, I move adoption of the conference report.

The PRESIDING OFFICER (Mr. CRANSTON). The question is on agreeing to the conference report.

The conference report was agreed to.

ORDER OF BUSINESS

The PRESIDING OFFICER. Pursuant to the previous order, the Chair recognizes the Senator from Montana for 15 minutes.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, announced that the House had passed the bill (S. 3835) to provide a comprehensive Federal program for the prevention and treatment of alcohol abuse and alcoholism, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the bill (S. 4106) to amend the Public Health Service Act in order to provide for the establishment of a National Health Service Corps, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed a bill (H.R. 19567) to continue until the close of June 30, 1971, the International Coffee Agreement Act of 1968, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 12962) for the relief of Maureen O'Leary Fimpare, and it was signed by the Acting President pro tempore (Mr. ALLEN).

HOUSE BILL REFERRED

The bill (H.R. 19567) to continue until the close of June 30, 1971, the International Coffee Agreement Act of 1968, was read twice by its title and referred to the Committee on Finance.

THE PRISONERS OF WAR AND THE PARIS TALKS

Mr. MANSFIELD. Mr. President, in recent weeks statements of merit that are worthy of our most serious consideration have been made by the distinguished Senator from Washington (Mr. JACKSON), advocating a cease-fire not only through Christmas and the New Year's season, but through Tet as well.